Section 163, Title 14, CCR
Response to Public Comments Received from April 2, 2003 to August 27, 2003
(Comments listed in alphabetical order)

(1) Mr. Randy Chiabai, President, Redden Marine Supply, Inc., addressed several issues regarding the manufacture and measurement of nets used in the herring gill net fishery.
(a) Comment noted. The Department recognizes Mr. Chiabai's concern regarding the measurement and enforcement of the current legal mesh size in the San Francisco Bay fishery and will forward these comments to the Department's enforcement staff.

(2) Mr. George Costello, K-C Fish Co. Inc., herring buyer and herring gill net permittee, stated in a letter dated July 18 that he does not support fishery closure at this time.
(a) The Department acknowledges the comment of opposition to fishery closure at this time.

(3) Mr. Eddie Genovese, herring gill net permittee and DHAC representative, in a letter dated May 11, requests a copy of the Department's herring spawn survey log.
(a) The Department recognizes this request and will provide Mr. Genovese the opportunity to schedule an appointment to come into the Belmont office and review the spawn survey log with Department herring biologists.

(4) Mr. William W. Honea, herring gill net permittee, in a letter dated June 5, stated, in essence, that he does not support fishery closure at this time.
(a) Comment noted.

(5) Mr. Ernie Koepf, herring gill net permittee, DHAC representative, and Cal Herring Association representative, stated, in essence, in letters dated March 26, April 2, April 27, May 13 and July 16, that (a) he does not support a fishery closure at this time, (b) the hydroacoustic survey estimate should be used as a basis for establishing the quota, and (c) that the current mesh size should be changed.
(a) Comment noted.
(b) Currently the Department's biomass estimate for the Pacific herring spawning population in San Francisco Bay is derived from a combination of both the spawn survey estimate and the hydroacoustic estimate. The hydroacoustic estimate is not considered the sole source of information in the estimation of biomass, nor does the Department recommend, or concur, with the proposal to utilize the hydroacoustic estimate as a proxy for the biomass estimate.
(c) The Department does not support the proposal to reduce the current mesh size used in the gill net fishery without first conducting a comprehensive mesh size field study in San Francisco Bay and/or further evaluation of the current management strategy.

(6) Mr. Martin Kuljus, President, K-C Fish Co. Inc., herring buyer and herring gill net permittee, stated in a letter dated July 18, that he does support fishery closure at this time.
(a) Comment noted.

(7) Mr. Steve Kuljus, K-C Fish Co. Inc., herring buyer and herring gill net permittee, stated in a letter dated July 18, that he does not support fishery closure at this time.
(a) Comment noted.

(8) Mr. Sam Liberati, herring gill net permittee and DHAC representative, stated in a letter dated July 31, that he does not support fishery closure at this time.
(a) Comment noted.

(9) Jan Moestue, in an electronic message dated August 25, (a) questioned the time allotment for discussion at Fish and Game Commission meetings and (b) the science upon which the Department's August 2 presentation to the Fish and Game Commission.
(a) Comment noted.
(b) The Department has collected both fishery independent and dependent data on the herring resource in San Francisco Bay for the approximately 30 years. This data is the basis for the August 2 presentation.

(10) Mr. Fred Sears, herring gill net permittee, in an electronic message dated August 27, stated support for Mr. Ernie Koepf, and requested that the Department not change the methodology for measuring herring biomass.
(a) Comment noted.

(11) Mr. Harry J. Vogl, herring gill net permittee, in a letter dated August 25, stated that (a) he does not support a fishery closure at this time and (b) believes that there should be action participation between the Department of Fish and Game and the industry to find the most efficient mesh size for the fishery.
(a) Comment noted.
(b) Comment noted.